



PATENT  
Attorney Docket No. WBU-001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Thomson et al.  
SERIAL NO.: 10/672,046 GROUP NO.: 2121  
FILING DATE: September 26, 2003 EXAMINER: Not Yet Assigned  
TITLE: SYSTEM AND METHOD FOR DETERMINING A USER  
PREFERENCE FOR A CANDIDATE

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1<sup>st</sup> day of February, 2004.

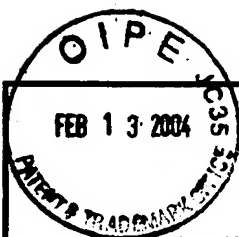
  
Lisa Marie Solis

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 pg.);
2. Information Disclosure Statement (2 pgs.);
3. Form PTO – 1449 (2 pgs.);
4. Copies of IDS Citations (C1-C17); and
5. a Return Receipt Postcard.



# TRANSMITTAL FORM

|                           |                    |
|---------------------------|--------------------|
| Application Serial Number | 10/672,046         |
| Filing Date               | September 26, 2003 |
| First Named Inventor      | Thomson            |
| Group Art Unit            | 2121               |
| Examiner Name             | Not Yet Assigned   |
| Attorney Docket No.       | WBU-001            |
| Patent No.                | Not applicable     |
| Issue Date                | Not applicable     |

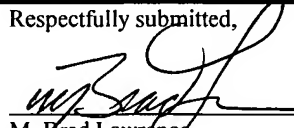
## ENCLOSURES (check all that apply)

|   |   |   |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Check Attached<br><input type="checkbox"/> Copy of Fee Transmittal Form<br><br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> Preliminary<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]<br><br><input type="checkbox"/> Petition for Extension of Time<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input checked="" type="checkbox"/> Form PTO-1449<br><input checked="" type="checkbox"/> Copies of IDS Citations (C1-C17)<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Sequence Listing submission<br><input type="checkbox"/> Paper Copy/CD<br><input type="checkbox"/> Computer Readable Copy<br><input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application<br><br><input type="checkbox"/> Formal Drawing(s)<br><br><input type="checkbox"/> Request For Continued Examination (RCE) Transmittal<br><br><input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application<br><br><input type="checkbox"/> Small Entity Statement<br><br><input type="checkbox"/> CD(s) for large table or computer program<br><br><input type="checkbox"/> Amendment After Allowance<br><br><input type="checkbox"/> Request for Certificate of Correction<br><input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences<br><br><input type="checkbox"/> Appeal Brief (in triplicate)<br><br><input type="checkbox"/> Status Inquiry<br><br><input checked="" type="checkbox"/> Return Receipt Postcard<br><br><input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8<br><br><input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|---|---|---|

## CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Tel. No.: (617) 248-7000  
Fax No.: (617) 248-7100

## SIGNATURE BLOCK

Respectfully submitted,  
  
M. Brad Lawrence  
Attorney for Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110  
Date: February 11, 2004  
Reg. No. 47,210  
Tel. No.: (617) 310-8009  
Fax No.: (617) 248-7100



PATENT  
Attorney Docket No. WBU-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Thomson et al.  
SERIAL NO.: 10/672,046 GROUP NO.: 2121  
FILING DATE: September 26, 2003 EXAMINER: Not Yet Assigned  
TITLE: SYSTEM AND METHOD FOR DETERMINING A USER  
PREFERENCE FOR A CANDIDATE

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with the U.S. Patent Office's partial waiver of the requirement under 37 C.F.R. 1.98(a)(2)(i), only copies of the foreign patent documents and non-patent publications are enclosed.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

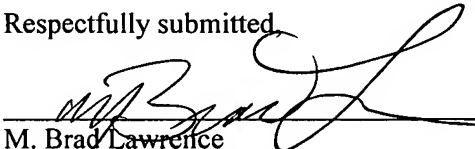
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:


- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.


Respectfully submitted,

  
M. Brad Lawrence  
Attorney for Applicants  
Testa, Hurwitz, & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

Date: February 17, 2004  
Reg. No. 47,210

Tel. No.: (617) 310-8009  
Fax No.: (617) 248-7100

| <b>FORM PTO - 1449</b><br><br><b>INFORMATION DISCLOSURE STATEMENT</b>             |  |  |          | <b>ATTORNEY DOCKET NO.:</b> WBU-001 (8577/3)<br><br><b>APPLICANT(S):</b> Thomson et al.<br><br><b>SERIAL NO.:</b> 10/672,046<br><br><b>FILING DATE:</b> September 26, 2003<br><br><b>GROUP:</b> 2121 |                        |           |                            |               |                    |
|---|--|--|----------|--|------------------------|-----------|----------------------------|---------------|--------------------|
|  |  |  |          |  |                        |           |                            |               |                    |
| <b>U.S. PATENT DOCUMENTS</b>  |  |  |          |  |                        |           |                            |               |                    |
| EXAM. INIT.   |  | DOCUMENT NUMBER  | DATE     | NAME   | CLASS                  | SUB CLASS | FILING DATE IF APPROPRIATE |               |                    |
|   | A1   | 5,481,647  | 1/2/96   | Brody et al.   | 395                    | 51        | 9/21/93                    |               |                    |
|   | A2   | 5,758,257  | 5/26/98  | Herz et al.  | 455                    | 2         | 11/29/94                   |               |                    |
|   | A3   | 5,844,817  | 12/1/98  | Lobley et al.  | 364                    | 578       | 9/8/95                     |               |                    |
|   | A4   | 6,026,399  | 2/15/00  | Kohavi et al.  | 707                    | 6         | 5/30/97                    |               |                    |
|   | A5   | 6,049,794  | 4/11/00  | Jacobs et al.  | 706                    | 45        | 12/9/97                    |               |                    |
|   | A6   | 6,151,565  | 11/21/00 | Lobley et al.  | 703                    | 2         | 8/31/98                    |               |                    |
|   | A7   | 6,240,411 B1   | 5/29/01  | Thearling  | 707                    | 5         | 6/15/98                    |               |                    |
|   | A8   | 6,334,192 B1   | 12/25/01 | Karpf  | 714                    | 1         | 3/9/98                     |               |                    |
|   | A9   | 6,394,811 B2   | 5/28/02  | Finitzo et al.   | 434                    | 262       | 3/19/98                    |               |                    |
|   | A10  | 6,460,036 B1   | 10/1/02  | Herz   | 707                    | 10        | 12/5/97                    |               |                    |
|   | A11  | 6,460,049 B1   | 10/1/02  | Becker et al.  | 707                    | 104       | 12/22/98                   |               |                    |
|   | A12  | 6,480,627 B1   | 11/12/02 | Mathias et al.   | 382                    | 224       | 6/29/99                    |               |                    |
| <b>FOREIGN PATENT DOCUMENTS</b>   |  |  |          |  |                        |           |                            |               |                    |
| EXAM. INIT.   |  | DOCUMENT NUMBER  | DATE     | COUNTRY CODE   | CLASS                  | SUB CLASS | FILING DATE                | ABSTRACT ONLY | ENGLISH LANG (Y/N) |
|   |  |  |          |  |                        |           |                            |               |                    |
| <b>OTHER ART, JOURNAL ARTICLES, ETC.</b>  |  |  |          |  |                        |           |                            |               |                    |
| EXAM. INIT.   | OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication) |  |          |  |                        |           |                            |               |                    |
|   | C1   | Portions of 4car.com website, < <a href="http://www.4car.co.uk/jsp/main.jsp?lnk=321">http://www.4car.co.uk/jsp/main.jsp?lnk=321</a> >, 5 pages ( <i>downloaded</i> November 18, 2002).   |          |  |                        |           |                            |               |                    |
|   | C2   | Portions of the AA "Choose the Right Car" website, < <a href="http://www.theaa.com/allaboutcars/carsearch/carsearch_decide.jsp">www.theaa.com/allaboutcars/carsearch/carsearch_decide.jsp</a> >, 7 pages ( <i>downloaded</i> November 18, 2002). |          |  |                        |           |                            |               |                    |
|   | C3   | Portions of animalhome.com's Dog Search Page website, < <a href="http://www.animalhome.com/template/dogsearch.cfm?Where=G">http://www.animalhome.com/template/dogsearch.cfm?Where=G</a> >, 3 pages ( <i>downloaded</i> November 18, 2002).       |          |  |                        |           |                            |               |                    |
|   | C4   | Portions of AutoLocate website, < <a href="http://www.ibm.autolocate.co.uk/home/home_page.asp">http://www.ibm.autolocate.co.uk/home/home_page.asp</a> >, 7 pages ( <i>downloaded</i> November 18, 2002).   |          |  |                        |           |                            |               |                    |
| <b>EXAMINER</b>   |  |  |          |  | <b>DATE CONSIDERED</b> |           |                            |               |                    |

|  |   |  |  |
|--|---|--|--|
| <b>FORM PTO - 1449</b><br><b>INFORMATION DISCLOSURE STATEMENT</b><br> |   | <b>ATTORNEY DOCKET NO.:</b> WBU-001 (8577/3)<br><b>APPLICANT(S):</b> Thomson et al.<br><b>SERIAL NO.:</b> 10/672,046<br><b>FILING DATE:</b> September 26, 2003<br><b>GROUP:</b> 2121   |  |
| OTHER ART, JOURNAL ARTICLES, ETC.  |   |  |  |
| <b>EXAM. INIT.</b>   | <b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b> |  |  |
|  | C5  | Portions of CarSmart.com website, < <a href="http://www.carsmart.com/content/buy/LM/New/index.cfm?id=12442;CRSM">http://www.carsmart.com/content/buy/LM/New/index.cfm?id=12442;CRSM</a> >, 12 pages ( <i>downloaded</i> November 18, 2002).  |  |
|  | C6  | Portions of Carter's Car Care website, < <a href="http://www.ineedwheels.com/cgi-bin/start.cgi/htmls/DealerCars.html?DEALER_ID=Carters">http://www.ineedwheels.com/cgi-bin/start.cgi/htmls/DealerCars.html?DEALER_ID=Carters</a> >, 3 pages ( <i>downloaded</i> November 18, 2002).                    |  |
|  | C7  | Portions of Cleo section of ninemsn.com website, < <a href="http://cleo.ninemsn.com.au/cleo/quiz14.asp">http://cleo.ninemsn.com.au/cleo/quiz14.asp</a> >, 4 pages ( <i>downloaded</i> November 18, 2002).  |  |
|  | C8  | Portions of dogmatch.com's Dog Selection Criteria website, < <a href="http://dogmatch.com:280/dog_html/dogshow.html">http://dogmatch.com:280/dog_html/dogshow.html</a> >, 5 pages ( <i>downloaded</i> November 18, 2002).  |  |
|  | C9  | Portions of Jamjam.com's website, < <a href="http://www.jamjar.com/carbuying/search/buying_home.jhtml">http://www.jamjar.com/carbuying/search/buying_home.jhtml</a> >, 20 pages ( <i>downloaded</i> November 18, 2002).  |  |
|  | C10   | Portions of SelectSmart.com's "2004 American Presidential Candidate Selector" website, < <a href="http://selectsmart.com/PRESIDENT/">http://selectsmart.com/PRESIDENT/</a> >, 6 pages ( <i>downloaded</i> March 26, 2003).   |  |
|  | C11   | Portions of SelectSmart.com's "Before you decide Privacy Statement and Selector Methods" website, < <a href="http://selectsmart.com/privacy.htm">http://selectsmart.com/privacy.htm</a> >, 1 page ( <i>downloaded</i> November 18, 2002).  |  |
|  | C12   | Portions of SelectSmart.com's "Florida Gubernatorial Candidate Selector" website, < <a href="http://election2002.tbo.com/election2002/selectsmart/index.htm">http://election2002.tbo.com/election2002/selectsmart/index.htm</a> >, 13 pages ( <i>downloaded</i> November 18, 2002).                    |  |
|  | C13   | Portions of SelectSmart.com's "Luxury Car Selector" website, < <a href="http://www.selectsmart.com/FREE/select.php?client=luxurycars">http://www.selectsmart.com/FREE/select.php?client=luxurycars</a> >, 7 pages ( <i>downloaded</i> November 18, 2002).  |  |
|  | C14   | Portions of SelectSmart.com's "Which Ayashi no Ceres (Ceres: Celestial Legend) character are you?" website, < <a href="http://www.selectsmart.com/FREE/select.php?client=shikyouta">http://www.selectsmart.com/FREE/select.php?client=shikyouta</a> >, 4 pages ( <i>downloaded</i> November 18, 2002). |  |
|  | C15   | Portions of SelectSmart.com's "Who would you vote for in the Mass. US Senate Race?" website, < <a href="http://www.selectsmart.com/FREE/select.php?client=qstarweb">http://www.selectsmart.com/FREE/select.php?client=qstarweb</a> >, 7 pages ( <i>downloaded</i> November 18, 2002).                  |  |
|  | C16   | Portions of SelectSmart.com's Selectors website, < <a href="http://www.selectsmart.com/home.html">http://www.selectsmart.com/home.html</a> >, 16 pages ( <i>downloaded</i> November 18, 2002).   |  |
|  | C17   | Portions of Where-Can-I-Buy-A-Car-Online.com's "UK Help Me Choose" website, < <a href="http://www.where-can-i-buy-a-car-online.com/data/uk/43600.htm">http://www.where-can-i-buy-a-car-online.com/data/uk/43600.htm</a> >, 2 pages ( <i>downloaded</i> November 18, 2002).                             |  |
| <b>EXAMINER</b>  |   | <b>DATE CONSIDERED</b>   |  |